

REFERENCE TITLE: animal sterilization; technical correction

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HB 2850

Introduced by
Representative Young Wright

AN ACT

AMENDING SECTION 11-1022, ARIZONA REVISED STATUTES; RELATING TO ANIMAL CONTROL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 11-1022, Arizona Revised Statutes, is amended to
3 read:

4 11-1022. Sterilization of impounded dogs and cats; definition

5 A. A dog or cat shall not be released for adoption from a county, city
6 or town pound or from an animal shelter unless one of the following applies:

7 1. The dog or cat has been ~~first~~ surgically spayed or neutered.

8 2. There is no veterinary facility capable of performing surgical
9 sterilization within a twenty mile radius of the pound or shelter.

10 3. A veterinarian determines that a medical contraindication for
11 surgery exists that reasonably requires postponement of the surgery until the
12 surgery can be performed in a safe and humane manner.

13 B. If subsection A, paragraph 2 or 3 applies, the adopting party shall
14 sign an agreement to have the dog or cat spayed or neutered by a veterinarian
15 within thirty days or within fifteen days of a veterinarian's determination
16 that surgical sterilization may be performed in a safe and humane manner and
17 shall deposit with the pound or shelter an amount sufficient to ensure that
18 the dog or cat will be sterilized.

19 C. If the adoption fee includes the cost of spaying or neutering, then
20 no deposit is required. The amount of the deposit required by subsection B
21 shall be determined by the pound or shelter to be comparable to the lowest
22 fee charged by veterinarians in the county. The pound or shelter shall
23 refund to the adopting party any monies deposited pursuant to the agreement
24 if within the time provided in the agreement there is presented a written
25 statement signed by a licensed veterinarian that the adopted dog or cat has
26 been spayed or neutered.

27 D. Any deposit monies that are not refunded under subsection C shall
28 be used only for the following purposes:

29 1. Spaying or neutering dogs and cats.

30 2. Public education to prevent overpopulation of dogs and cats.

31 3. Costs of confirming that adopted dogs and cats are spayed or
32 neutered.

33 E. This section does not apply to a county or incorporated city or
34 town that adopts an ordinance or resolution for dog and cat sterilization
35 that exceeds the requirements of this section.

36 F. For the purposes of this section, "animal shelter" means a duly
37 incorporated humane society, animal welfare society, society for the
38 prevention of cruelty to animals or other nonprofit corporate organization
39 devoted to the welfare, protection and humane treatment of animals.